

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

September 2, 2004

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the President Councilmember Ron Roberts, City of Temecula. There was a quorum.

Members Present

Councilmember Ron Roberts, Temecula, President	District 5
Supervisor Hank Kuiper, Imperial County, 1st VP	
Mayor Toni Young, Port Hueneme, 2 nd VP	District 45
Councilmember Bev Perry, Brea, Immediate Past President	District 22
Supervisor Yvonne Burke, LA County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Mayor Bill Alexander, Rancho Cucamonga	District 9
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Marilyn Poe, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Pam O'Connor, Santa Monica	District 41

Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Mike Dispenza, City of Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Robin Lowe, Hemet	RCTC
Supervisor Charles Smith, County of Orange	OCTA

Members Not Present

Supervisor Marion Ashley, Riverside County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Chris Norby, Orange County	
Supervisor Judy Mikels, Ventura County	
Supervisor Zev Yaroslavsky, LA County	
Councilmember Greg Pettis, Cathedral City	District 2
Mayor Ron Loveridge, Riverside	District 4
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Isadore Hall, Compton	District 26
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Mayor James Hahn, Los Angeles	At-Large
Mayor Bill Davis, Simi Valley	VCTC

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer
Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikrata, Director, Planning & Policy
Huasha Liu, Acting Director, Information Services
Shelia Stewart, Executive Assistant

3.0 CONSENT CALENDAR

The following consent calendar items were MOVED (Brown), SECONDED (Perry) and UNANIMOUSLY APPROVED.

3.1 Approval Items

3.1.1 Approve Minutes of Aug 5., 2004

3.1.2 Contracts

- Managing Excellence Consulting Services
- University of Southern California
- Kaku Associates

3.1.3 Approve Draft Disadvantage Business Enterprise Policy Statement

3.1.4 Approve California Trucking Association Membership Dues

3.2 Receive & File

3.2.1 Contracts & PO between \$5,000 - \$25,000

3.2.2 Conflict of Interest Listing

3.2.3 SCAG Legislative Matrix

3.2.4 Report on On-line banking with Bank of the West

3.2.5 Approval of NARC Membership Dues

3.2.6 Meeting Summary from Policy Committees

3.3 PRESIDENT'S REPORT

3.3.1 Appointments to Committee & Task Forces

President Roberts stated that current members not listed below shall continue their membership on the various committees and task forces.

Audit & Best Practices Oversight Subcommittee

Hon. Sid Tyler, Chair
Hon. Dick Stanford, Vice Chair
Hon. Lou Bone
Hon. Toni Young

Aviation Task Force

Hon. Judy Mikels, Chair

Benchmarks Task Force

Hon. Ron Loveridge, Chair
Hon. Debbie Cook, Vice Chair

Council Development & Nominating Committee

Hon. Ron Roberts, Chair
Hon. Bev Perry, Vice Chair
Hon. Bill Alexander
Hon. Marion Ashley
Hon. Glen Becerra
Hon. Paul Bowlen
Hon. Art Brown
Hon. Lawrence Dale
Hon. Hank Kuiper
Hon. Ron Loveridge
Hon. Judy Mikels
Hon. Llewellyn Miller
Hon. Tod Ridgeway
Hon. Bob Yousefian

Communication & Membership Subcommittee

Hon. Bea Proo, Chair
Hon. Glen Becerra, Vice Chair
Hon. Debbie Cook
Hon. Richard Dixon

Goods Movement Task Force

Hon. Art Brown, Chair
Hon. Harry Baldwin, Vice Chair
Hon. Tonia Reyes Uranga
John Shiner, U P

Compass Task Force

Hon. Bev Perry, Chair
Hon. Isadore Hall
Hon. Tod Ridgeway

District Evaluations Task Force

Hon. Greg Pettis, Chair
Hon. Paul Biane
Hon. Richard Dixon
Hon. Judy Mikels
Hon. Jo Shields
Hon. Paul Talbot

Finance Task Force

Hon. Richard Dixon, Chair
Hon. Llewellyn Miller, Vice Chair
Hon. Jim Aldinger

Personnel Committee

Hon. Bea Proo, Chair
Hon. Ron Roberts, Vice Chair
Hon. Ted Burgnon
Hon. Debbie Cook
Hon. Alta Duke
Hon. Tom Sykes
Hon. Paul Talbot

Regional Comprehensive Plan Task Force

Hon. Pam O'Connor, Chair
Hon. Susan Longville, Vice Chair
Hon. Jim Aldinger
Hon. Paul Bowlen
Hon. Ted Burgnon
Hon. Debbie Cook
Hon. Michael Feinstein
Hon. Lee Ann Garcia
Hon. Mike Miller

Regional Comprehensive Plan Task Force – Cont'd

Hon. Paul Nowatka
Hon. Gary Ovitt

Southwest Compact Task Force

Hon. Greg Pettis, Chair
Hon. Hank Kuiper, Vice Chair
Hon. Mike Dispenza
Hon. Carl Morehouse

Strategic Plan Implementation Task Force

Hon. Judy Mikels, Chair
Hon. Dennis Washburn, Vice Chair
Hon. Llewellyn Miller
Hon. Tod Ridgeway

Water Policy Task Force

Hon. Dennis Washburn, Chair
Hon. Margaret Clark, Vice Chair

3.4 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano stated that on August 18 the Chair & Vice Chairs of the California Transportation Commissions invited the executive leadership of the transportation agencies as well as the county and regional agencies in the state to discuss the funding crisis in California. The purpose of the meeting was to develop a communication program throughout the State highlighting the funding crisis that the State is facing, as well as outlining how to explain to the public the effect these reductions will produce.

A basic program is being drafted starting with a media campaign program, in which MTA has agreed to take the lead. MTA will utilize their marketing personnel in developing an advertising and marketing program that can be used Statewide. The program will be conducted after the November elections.

With regard TEA-21 Reauthorization/Appropriation, Mr. Pisano noted that Congress passed a short-term bill that extended the current transit authorizing law through September 30th and a highway law through September 24. With members returning on September 7, Congress has less than a month to conclude work on the 13 appropriations bills by either completing work on a long-term reauthorization or to pass another temporary extension.

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 Amendment to SCAG's Travel Policy

Councilmember Perry noted that there was one technical language change within the policy. Add the following language regarding web-rate ticketing: *the ability to hold web-based cancelled tickets for future flights*, be incorporated into the paragraph of the amended policy.

It was MOVED (Perry), SECONDED (Lowe) and UNANIMOUSLY APPROVED.

4.1.2 Amendment of Legal Services contract with Fulbright & Jaworski & establishment of Legal Services Subcommittee

Tabled.

4.1.3 Maglev 2004 Conference in Shanghai

The Administration Committee recommended that the RC approve seeking private funding for the trip, and if funds are not available, approve up to \$4,000 from the General Fund to send 2 staff member to the conference.

It was MOVED (Perry), SECONDED (Lowe) and UNANIMOUSLY APPROVED

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 Draft 2004 Regional Transportation Improvement Program (RTIP)

Hasan Ikhata, Director, Planning & Policy stated that last month staff requested additional time be allowed to conduct inter-agency consultation for further analyses of funding and timely implementation issues, as well as to pursue regional strategies for overcoming these obstacles. Additionally staff would need time to respond appropriately to the FHWA's concerns about financial constraint and project completion schedules.

As a result of that request the commissions' staff worked with SCAG to resolve the issues on the projects listed. Mr. Ikhata noted that MTA helped in a big way by reprogramming \$260 million dollars back into the TCMs. President Ron Roberts, Immediate Past President Bev Perry, Supervisor Yvonne Burke, Councilmember Bea Proo, Councilmember Robing Lowe, Councilmember Art Brown and Supervisor Chuck Smith were thanked for their efforts in working with the appropriate commissions and SCAG to accomplish this effort.

In addition Mr. Roger Snoble, CEO, MTA presented comments regarding MTA's efforts in helping resolve the issues. He stated that the provisions that addresses the TCM will be presented at their September Board for approval.

President Roberts thanked Mr. Snoble and MTA for their work in taking the action to resolve the short-term conformity issues. He noted that SCAG is looking forward to a continuing work relationship with MTA.

It was MOVED (Brown) SECONDED (Perry, Lowe) and UNANIMOUSLY APPROVED to waive reading and approve Resolution 04-453-2.

4.3 Energy & Environment Committee Report

4.3.1 Resolution on Building Energy Efficiency

The resolution encourages SCAG jurisdictions to adopt an ordinance (based on a model) requiring new buildings to exceed state building energy standards by 10-15%, depending on the building type. In response to input from the Energy & Environment Committee, the resolution includes a provision requesting the California Energy Commission to make the state standards uniformly more stringent for all jurisdictions.

Hasan Ikhata stated that the action listed on the agenda calls for adopting Resolution 04-454-2 to encourage adoption of local building energy efficiency ordinances.

However staff recommends that no action be taken until the Energy Chapter of the Regional Comprehensive Plan (RCP) be reviewed and discussed for approval.

Public Comments

Todd Priest, Building Industry Association, So. California; Tara Bannister California Apartment Association and Andrew Casana, California Restaurant Association opposed the Resolution on Building Energy Efficiency.

Councilmember Clark, Vice Chair, stated that the EEC previously approved adopting the resolution in June, but the item was listed as an information item on the EEC agenda this month. Although she agreed with staff's recommendation to not take action, she moved the EEC's recommendation to adopt the resolution.

It was MOVED (Clark) and SECONDED (McCarthy)

Councilmember O'Connor, Chair, RCP Working Group, offered a substitute motion that no action be taken until the Energy Chapter of the Regional Comprehensive Plan (RCP) be reviewed both in terms of energy conservation as well as generation.

Regional Council members expressed concerns regarding receiving numerous emails of the same letter. Councilmember Perry stated that she met with BIA representatives to discuss finding other avenues and ways of notifying SCAG regarding opinions, rather than sending multiple emails containing the same information.

It was MOVED (O'Connor), SECONDED (Perry) and UNANIMOUSLY APPROVED to take no an action until the Energy Chapter of the RCP is reviewed.

4.3.2 CALFED Bay-Delta Improvements Package

The CALFED Bay-Delta Program began in 1995 to deal with a wide array of water issues and unfavorable trends affecting California's water future. The Bay-Delta area is the largest estuary in North America and is the heart of California's statewide water system. The Delta provides drinking water for two-thirds of the state's population and irrigation water to more than seven million acres of farmland. In the years leading up to the start of the Program the Delta was adversely affected by on-going deadlocks between competing water interests. These deadlocks exacerbated problems that took on statewide significance: fish species were disappearing, water quality was declining and water supplies were increasingly unreliable.

The EEC recommended adopting Resolution 04-454-1 encouraging CalFed agencies to fund and implement measures to maintain operational balance and coordinate operations.

It was MOVED (Clark), SECONDED (Brown) and UNANIMOUSLY APPROVED to waive reading and adopt Resolution 04-045-1

4.3.3 Adopt Resolution 04-453-2 2004 RTIP Air Quality Conformity

It was MOVED (Brown) SECONDED (Perry, Lowe) and UNANIMOUSLY APPROVED to waive reading and approve Resolution 04-453-2.

Added items

Councilmember Clark stated AB 2141 and AB 2006 require immediate action but arose after the posting of the agenda.

It was MOVED (Baldwin), SECONDED (Brown) and UNANIMOUSLY APPROVED to add AB 2141 and AB 2006 to the agenda for action.

AB 2141 (Longville)

In December 2002 the RC appointed Councilmember Susan Longville to the California Floodplan Management Task Force. The report was completed during that time and forwarded to the Legislature. The task force voted unanimously that future work needed to be done on the issues of alluvial fan. The task force consist of local government representatives, the BIA, the environmental and agriculture committee.

AB 2141 was a non-controversial bill in the Legislature and is now on the Governor's desk and requires no State funding. If signed the State will be asking for FEMA to pay for the cost of this bill.

The bill has been narrowed in the areas that are experiencing rapid development that are located in jurisdictions that have those areas in their general plan. It was recommended that the Regional Council approve sending a letter to Governor supporting this legislation.

It was MOVED (Perry), SECONDED (Young) and UNANIMOUSLY APPROVED.

AB 2006 (Bowen)

Councilmember Clark stated AB 2006 deals with electricity problems and felt that the bill would correct some of these issues. She stated that some of the opponents want more deregulation. She noted that the League of CA cities supported AB 2004. It was recommended that a letter of support be forwarded to the Governor.

It was MOVED (Clark) and SECONDED (Young).

Discussion

Several Regional Council members felt that only the large investors ie. So Calif Edison would benefit from AB 2006. Councilmember Flickenger felt that this bill should be closely reviewed.

After a lengthy discussion. A vote was taken.

There were 16 AYES and 11 NOES. The motion passed to send a letter of support to the Governor.

4.4 **Community & Human Development Committee (CEHD) Report**

4.4.1 **Policy Paper, "Promoting Regional and State Policy Objectives through Growth & Development Practices" July 2004**

The Governor has directed his cabinet to develop a growth policy for the State. The effort is chaired by Department of Business, Transportation and Housing Secretary Sunne Wright McPeak. The focus of these discussions is better coordination between growth, transportation, housing, and development planning. In order to contribute to these discussions, a policy paper was drafted by staff which outlined steps that the State might take to support the development policies inherent in the recently adopted Compass Growth Vision and 2004 RTP. The positions promoted by the paper include protecting funding for projects in the RTP, aligning available housing subsidy funds with regional plan priorities, acknowledging and rewarding local performance, and coordinating planning horizons for housing and transportation.

Councilmember Robertson, Chair, stated that the CEHD Committee recommended that the Regional Council approve this policy paper.

It was MOVED (Robertson), SECONDED (Stanford) and UNANIMOUSLY APPROVED.

4.5 **Communication Task Force (CTF) Report**

Councilmember Daniels presented the report. He stated that staff outlined a preliminary celebration program for SCAG's 40th anniversary as part of the GA. A number of ideas were presented from members. Members agreed with staff that the Biltmore Hotel, downtown Los Angeles would be a good venue, and liked the idea of having a reception and dinner for the celebration. CTF members also supported the idea of forming a host committee of RC members to help with ideas and fundraising. In addition, it was also suggested that sponsorships be widely sought, including some of our many vendors.

Homeland Security

SCAG will develop and incorporate a homeland security strategy as part of the Regional Comprehensive Plan. Institutional assessments of the roles and responsibilities of various agencies is currently underway. Staff reported that a conference, to be jointly sponsored by SCAG, USC, and UCLA, is being planned for December.

Other topics discussed included: (1) Recruiting New Members to this Task Force; (2) 2004 Regional Economic Forum; (3) Member Benefits Brochure; (4) Member Handbook; (5) Update on Native American Activities; and (6) Web-Navigation Re-design.

5.0 **INFORMATION ITEMS**

5.1 **Monthly Financial Report**

Heather Copp, CFO, gave a brief overview. She stated that the report contains financial data related to SCAG's cash flow, as well as budget and expense data for the month of July.

5.2 Membership Dues

Heather Copp stated that there are approximately 31 cities, one CTC and three counties that have not paid. SCAG's Government Relations is currently in the process of following up with each of the entities for remittance of the payment of dues.

5.3 FY 05-06 Overall Work Program Priorities

Jim Gosnell, Deputy Executive Director, stated that a list of OWP priorities will be provided to Regional Council members, management, subregional coordinators and others regarding their assessment of priorities.

6.0 FUTURE AGENDA ITEMS

None presented

7.0 LEGAL COUNSEL REPORT

7.1 Closed Session

It was MOVED (Perry), SECONDED (Brown) and UNANIMOUSLY APPROVED to enter into close session.

- HDR Appeal
Conference with Legal Counsel – anticipated litigation
Significant exposure to litigation pursuant to California
Government Code Subdivision C §54956.9
(one potential case)

In open session:

The Regional Council authorized the Executive Director and General Counsel to settle the litigation based upon 5 principals which were outlined in closed session.

- SCAG v. HCD & BT&H
Conference with Legal Counsel - existing litigation to be
heard in closed session in pursuant to California
Government Code Section §54956.9(a)
Discussion re: appeal

There was no report given.

- Morrison v. SCAG
Conference with Legal Counsel Government Code
section 54956.9(a) Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066

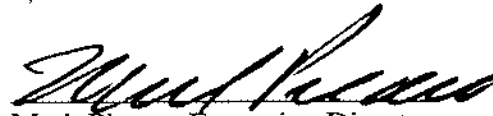
There was no report given.

9.0 ANNOUNCEMENTS

There were no announcements at this time.

10.0 ADJOURNMENT

The next meeting is scheduled for November 4, 2004 at SCAG Offices downtown Los Angeles.


Mark Pisano, Executive Director